

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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CEDRIC FRANKLIN,

Plaintiff,

vs.

TENNESSEE BOARD OF PROBATION  
AND PAROLES, et al.,

Defendants.

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No. 07-2329-JDB/tmp

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ORDER DENYING MOTION TO REINSTATE COMPLAINT

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On July 24, 2007, Plaintiff Franklin appealed this Court's judgment dismissing Plaintiff's complaint in its entirety. Plaintiff filed additional notices of appeal on August 13, 2007, August 20, 2007, and October 24, 2007. On November 14, 2007, Plaintiff Franklin filed a motion to reinstate his complaint.

A district court loses jurisdiction over an action once a party files a notice of appeal. Jurisdiction transfers to the appellate court. See Cochran v. Birkel, 651 F.2d 1219, 1221 (6<sup>th</sup> Cir. 1981). As the Court lacks jurisdiction to consider the motion, it is DENIED.

IT IS SO ORDERED this 21<sup>st</sup> day of November, 2007.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE